


Richard Zimmermann

3. Declaration or Oath

- ☐ Enclosed
 - ☐ Executed by (check all applicable boxes)
 - ☐ Inventor(s)
 - ☐ Legal representative of inventor(s)
(37 CFR 1.42 or 1.43)
 - ☐ Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached
 - ☐ The petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 are enclosed. See Item 5D below for fee.
- ☒ Not enclosed - the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.

4. Additional Papers Enclosed

- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☒ Declaration of Biological Deposit
- ☐ Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence
- ☐ Microfiche computer program
- ☐ Verified statement(s) claiming small entity status under 37 CFR 1.9 and 1.27
- ☐ Associate Power of Attorney
- ☐ Verified translation of a non-English patent application
- ☐ An assignment of the invention
- ☒ Return receipt postcard
- ☐ Other

5. **Priority Applications Under 35 USC 119**

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

☐ are attached.

☒ will follow.

COUNTRY	APPLICATION NO.	FILED
Germany	196 47 580.5	18 November 1996
Germany	197 07 506.1	26 February 1997

6. **Filing Fee Calculation (37 CFR 1.16)**

A. ☒ **Utility Application**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$380.00		\$760.00
TOTAL	16 -20	= 0	X 9 =		X 18 =	
INDEP.	10 - 3	= 7	X 39 =		X 78 =	546.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 130 =		+ 260 =	
Filing Fee:					OR	1,306.00

B. ☐ **Design Application (\$155.00/\$310.00)** Filing Fee: \$ _____

C. ☐ **Plant Application (\$240.00/\$480.00)** Filing Fee: \$ _____

D. **Other Fees**

☐ Recording Assignment [Fee -- \$40.00 per assignment] \$ _____

☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee -- \$130.00] \$ _____

☐ Other \$ _____

Total Fees Enclosed \$1,306.00

2025 RELEASE

7. **Method of Payment of Fees**

- ☒ Enclosed check in the amount of: \$1,306.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$_____
- A copy of this Transmittal is enclosed.
- ☐ Not enclosed

8. **Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

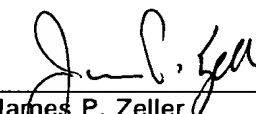
Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

Please direct all future communications to James P. Zeller, at the address below.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300
(312) 474-0448 (Telefacsimile)

By:


James P. Zeller
Reg. No: 28,491

May 17, 1999

00250-12500

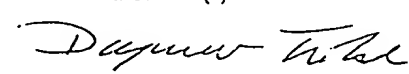
BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

Gesellschaft für
Biotechnologische
Forschung mbH
Mascheroder Weg 1
3300 Braunschweig



VIABILITY STATEMENT
issued pursuant to Rule 10.2 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name: Gesellschaft für Biotechnologische Forschung mbH Address: Mascheroder Weg 1 3300 Braunschweig	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM 6773 Date of the deposit or of the transfer ¹ : 1991-10-28
III. VIABILITY STATEMENT	
The viability of the microorganism identified under II above was tested on 1991-10-28 . ² On that date, the said microorganism was (X) ³ viable () ³ no longer viable	
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED⁴	
IV. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSM DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Address: Mascheroder Weg 1 B D-3300 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date: 1991-11-05

- ¹ Indicate the date of original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).
- ² In the cases referred to in Rule 10.2(a) (ii) and (iii), refer to the most recent viability test.
- ³ Mark with a cross the applicable box.
- ⁴ Fill in if the information has been requested and if the results of the test were negative.

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

Gesellschaft für
Biotechnologische
Forschung mbH
Mascheroder Weg 1
3300 Braunschweig

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

JC530 U.S. PTO

09/313524



05/17/99

I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the DEPOSITOR

So ce 90

Accession number given by the
INTERNATIONAL DEPOSITARY AUTHORITY:

DSM 6773

II. SCIENTIFIC DESCRIPTION AND/OR TAXONOMIC DESIGNATION

The microorganism identified under I. above was accompanied by:

- () a scientific description
(X) a proposed taxonomic designation

(Mark with a cross where applicable)

III. RECEIPT AND ACCEPTANCE

This International Depositary Authority accepts this microorganism identified under I. above, which was received by it
on 1991-10-28 (Date of original deposit)¹

IV. RECEIPT OF REQUEST FOR CONVERSION

The microorganism identified under I above was received by this International Depositary Authority on
(date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was
received by it on (date of receipt of request for conversion).

V. INTERNATIONAL DEPOSITARY AUTHORITY

Name: DSM-DEUTSCHE SAMMLUNG VON
MIKROORGANISMEN UND ZELLKULTUREN GmbH

Address: Mascheroder Weg 1 B
D-3300 Braunschweig

Signature(s) of person(s) having the power
to represent the International Depositary Authority
or of authorized official(s):

Dagmar Tittel

Date: 1991-11-05

¹ Where Rule 6.4(d) applies, such date is the date on which the status of international depositary authority was acquired.